

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO.
	§	
\$74,400.00,	§	
Defendant.	§	

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against \$74,400.00 in United States currency.

*Nature of the Action*

1. This civil action in rem is being brought to enforce the civil forfeiture statute of 31 U.S.C. §5317(c)(2) which provides for the civil forfeiture of any property involved in a violation of 31 U.S.C. § 5316. Under 31 U.S.C.A. § 5316(a)(1)(A), it is a crime for a person not to report that they are about to transport more than \$10,000 in United States currency out of the United States. The United States currency involved in a violation of 31 U.S.C. §5316 is subject to civil forfeiture under 31 U.S.C. §5317(c)(2).

*Jurisdiction and Venue*

2. This Court has jurisdiction pursuant to 28 U.S.C. §1355 because this is an

action for forfeiture under 31 U.S.C. §5317(c)(2), an Act of Congress.

3. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1355 and 1395 (a) and (b) because the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas, the property was found and is located in the Southern District of Texas, and this forfeiture action accrued in the Southern District of Texas.

*Defendant in Rem*

4. Defendant in rem is \$74,400 in United States currency that was seized at the George Bush Intercontinental Airport in Houston, Texas, from Jason Noah Feinman on February 27, 2007.

*Facts*

5. On February 27, 2007, Jason Noah Feinman, a United States citizen, was boarding at the George Bush Intercontinental Airport, Houston, Texas, Continental flight #1499 to San Jose, Costa Rico. A United States Customs and Border Protection Officer asked Jason Noah Feinman whether he was transporting more than \$10,000 in cash. Jason Noah Feinman said “no.” He signed a Customs and Border Protection Form 503 on which he indicated that he was transporting \$3,200.00.

6. When a Customs and Border Protection Officer verified the \$3,200.00, it

was discovered that he had \$4,451.00. Jason Noah Feinman then stated that he had a lot more money. During a search of Jason Noah Feinman's carry on luggage, Customs and Border Protection Officers found an additional \$70,000.00 in United States currency. Jason Noah Feinman said that he knew he should have declared all of the currency but only declared \$3,200.00. Customs and Border Protection Officers seized \$74,451.00 and returned \$51.00 to Jason Noah Feinman.

*Relief Requested*

7. Therefore, Plaintiff requests:

- A. Arrest Warrants and summons, citing all persons having an interest in the defendant property to appear on the return day of process by filing a claim and answer pursuant to Rule G(5), Supplemental Rules for Certain Admiralty and Maritime Claims, or as ordered by this Court,
- B. A judgment of forfeiture, and
- C. Costs and other relief to which the Plaintiff may be entitled.

Respectfully submitted,

Donald J. DeGabrielle

United States Attorney

By: /s/ Albert Ratliff

Albert Ratliff

Attorney-in-Charge

NY Bar No. 1073907

SDTX Bar No. 6764

Assistant United States Attorney

United States Attorney's Office

P. O. Box 61129

Houston, Texas 77208

Office (713) 567-9579

Fax (713) 718-3300

VERIFICATION

I, John A. Torres, Special Agent, United States Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. §1746 that I have read this Verified Complaint for Forfeiture in Rem, and that the facts stated in the complaint are based upon my personal knowledge or from information obtained in the course of my investigation and are true and correct to the best of my knowledge and belief.

Executed on March 6, 2007.

A handwritten signature in black ink, appearing to read "John A. Torres", is written over a horizontal line.

John A. Torres, Special Agent,  
U. S. Immigration and Customs Enforcement